

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-190

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 16, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on a temporary basis, the Neighborhood Investment Act of 2004 to expand the commercial area in the Columbia Heights target area.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Neighborhood Investment Clarification Temporary Amendment Act of 2007".

Sec. 2. Section 4(5)(A) of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1073(5)(A)), is amended by striking the phrase "west along Gresham Place, N.W., to Sherman Avenue, N.W." and inserting the phrase "west along Gresham Place, N.W., to Georgia Avenue, N.W., south along Georgia Avenue, N.W., to Euclid Street, N.W., west along Euclid Street, N.W., to Sherman Avenue, N.W." in its place.

Note,
§ 6-1073

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

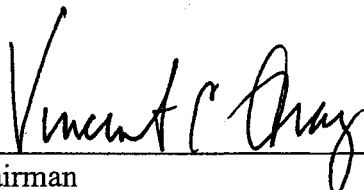
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

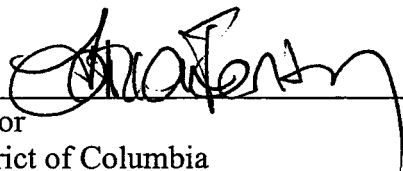
ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED

November 16, 2007

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To amend the Retail Service Station Act of 1976 to remove the divorcement provision with respect to jobbers, to prohibit gasoline distributors from attempting to threaten or coerce a retail dealer into converting his station to a non-full service facility, and to require the Gasoline Station Advisory Board to report to the Council on the effect of this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Retail Service Station Amendment Act of 2007".

Sec. 2. The Retail Service Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-301.01 *et seq.*), is amended as follows:

(a) Section 3-102 (D.C. Official Code § 36-302.02) is amended as follows:

Amend
§ 36-302.02

(1) Subsections (a) and (b) are amended by striking the phrase "jobber," wherever it appears.

(2) Subsection (c) is repealed.

(b) Section 5-301 (D.C. Official Code § 36-304.01) is amended as follows:

Amend
§ 36-304.01

(1) A new subsection (d-1) is added to read as follows:

"(d-1) A distributor shall not attempt to threaten or coerce an operator of a full service retail service station into:

"(1) Converting the station from a full service retail service station to a non-full service retail service station; or

"(2) Submitting a petition for exemption from the requirements of subsections (b) and (c) of this section to the Board."

(2) A new subsection (f-1) is added to read as follows:

"(f-1) On January 1, 2009, the Gas Station Advisory Board shall provide to the Council a report on the impact of the Retail Service Station Amendment Act of 2007, passed on 2nd reading on November 6, 2007 (Enrolled version of Bill 17-142). The report shall include statistical data as to the impact on independent dealers as a result of jobbers operating the retail service stations they own on:

"(1) Independent dealers;

"(2) Gasoline prices;

"(3) Opening of new retail service stations; and

"(4) Closing of existing retail service stations."

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Sec. 3. Fiscal impact statement.

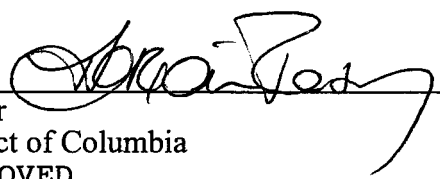
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 26, 2007

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To amend the Neighborhood Investment Act of 2004 to establish the purposes of the Neighborhood Investment Fund, to modify the boundaries of the Deanwood Heights Neighborhood Investment Program target area, and to establish goals for certain target areas.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Neighborhood Investment Amendment Act of 2007".

Sec. 2. Section 4 of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1073), is amended as follows:

Amend
§ 6-1073

(a) Designate the existing text as subsection (a).

(b) The newly designated subsection (a) is amended as follows:

(1) The lead-in text is amended by striking the phrase "There are established the following Neighborhood Investment Program Target Areas:" and inserting the phrase "There are established the following Neighborhood Investment Program Target Areas within which revitalization activities shall be supported by funds appropriated from the Neighborhood Investment Fund:" in its place.

(2) Paragraph (3)(A) is amended to read as follows:

"(A) Target Area #3 – Deanwood Heights. The Deanwood Heights target area is defined as starting at the corner of Hayes Street and 50th Street, N.E., east along Hayes Street, N.E., to 54th Place, N.E., south along 54th Place, N.E., to Nannie Helen Burroughs Avenue, N.E., east along Nannie Helen Burroughs Avenue, N.E., to Eastern Avenue, N.E., southeast along Eastern Avenue, N.E., to Southern Avenue, N.E., southwest along Southern Avenue, N.E., to East Capitol Street, west along East Capitol Street, to Division Avenue, N.E., north along Division Avenue, N.E., to Nannie Helen Burroughs Avenue, N.E., west along Nannie Helen Burroughs Avenue, N.E., to B&O(CSX) Railroad, northwest along B&O(CSX) Railroad to Eastern Avenue, N.E., southeast along Eastern Avenue, N.E., to Nannie Helen Burroughs Avenue, N.E., west along Nannie Helen Burroughs Avenue, N.E., to Division Avenue, N.E., north along Division Avenue, N.E., to Hayes Street, N.E., and west along Hayes Street, N.E., to the starting point. The Deanwood Heights Target area shall also include west along Marvin Gaye Park and north along 50th Street, N.E."

(3) Paragraph (10) is amended as follows:

(A) Designate the existing text as subparagraph (A).

(B) A new subparagraph (B) is added to read as follows:

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“(B) Among the goals for this target area are improving connectivity and transit use, creating mixed-use housing opportunities, enhancing neighborhood retail, building on cultural assets, and creating a dynamic destination.”.

(4) Paragraph (11) is amended as follows:

(A) Designate the existing text as subparagraph (A).

(B) A new subparagraph (B) is added to read as follows:

“(B) Among the goals for this target area are economic development, increasing homeownership opportunities, and improving the condition of housing stock in the area.”.

(5) Paragraph (12) is amended as follows:

(A) Designate the existing text as subparagraph (A).

(B) A new subparagraph (B) is added to read as follows:

“(B) Among the goals for this target area are improving public facilities, increasing homeownership opportunities, and enhancing neighborhood retail.”.

(c) A new subsection (b) is added to read as follows:

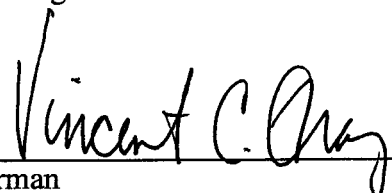
“(b) In determining the geographic extent of the target areas set forth in subsection (a) of this section, the Mayor shall include the properties on both sides of the streets that establish the outer boundaries of each target area.”.

Sec. 3. Fiscal impact statement.

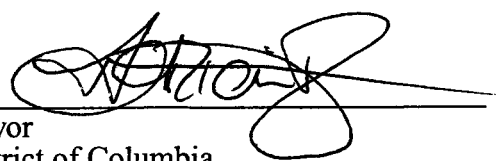
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 26, 2007
Codification District of Columbia Official Code, 2001 Edition

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-193

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 26, 2007

To amend the District of Columbia Regional Airports Authority Act of 1985 to clarify the authority of the Metropolitan Washington Airports Authority to render mutual aid to regional jurisdictions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Regional Airports Authority Clarification Amendment Act of 2007".

Sec. 2. Section 8(e) of the District of Columbia Regional Airports Authority Act of 1985, effective December 3, 1985 (D.C. Law 6-67; D.C. Official Code § 9-907(e)), is amended to read as follows:

"(e) The Authority may enter into reciprocal or mutual aid agreements with a local political subdivision in the National Capital Region, as defined in 10 U.S.C. § 2674(f)(2), those counties with a border abutting the area and any municipality therein, any agency of the Commonwealth, the District of Columbia, the State of Maryland, the federal government, or any combination of the foregoing for cooperation in the furnishing of services during a public service event, an emergency, or planned training, including law enforcement, fire, rescue, emergency health and medical services, transportation, communications, public works and engineering, mass care, and resource support. When responding to a request under such an agreement, Authority employees may go outside Authority facilities, and the Authority and its employees shall have the same immunities from liability as the localities and their employees have in responding under similar circumstances."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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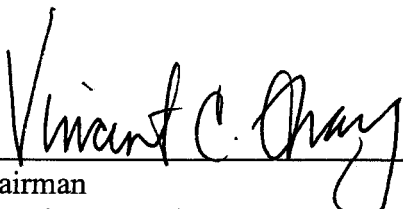
West Group
Publisher

Note,
§ 9-907

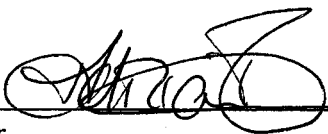
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Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 26, 2007

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AN ACT

D.C. ACT 17-194

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 26, 2007

To order the closing of a portion of a public alley in Square 347, bounded by 10th Street, N.W., F Street, N.W., 11th Street, N.W., and E Street, N.W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 347, S.O. 06-5596, Act of 2007".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of the public alley in Square 347, as shown on the Surveyor's plat filed under S.O. 06-5596, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions set forth in the official file S.O. 06-5596.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

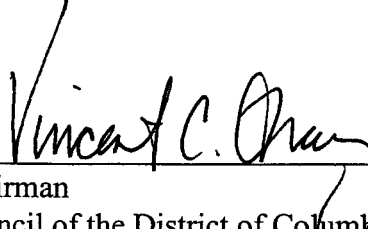
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

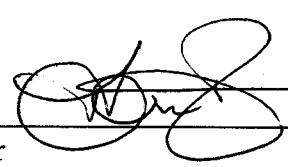
Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

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provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 26, 2007

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D.C. ACT 17-195IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
NOVEMBER 26, 2007*Codification
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Publisher

To amend the Omnibus Sports Consolidation Act of 1994 to allow the Mayor to designate a District of Columbia government official to serve as an ex-officio member of the District of Columbia Sports and Entertainment Commission Board of Directors.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Omnibus Sports Consolidation Amendment Act of 2007".

Sec. 2. Section 5(a) of the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1404(a)), is amended as follows:

Note,
§ 3-1404

- (a) Strike the number "11" and insert the number "13" in its place.
- (b) Strike the number "8" wherever it appears and insert the number "9" in its place.
- (c) Strike the phrase "with similar responsibilities," and insert the phrase "with similar responsibilities, and a District government official designated by the Mayor," in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

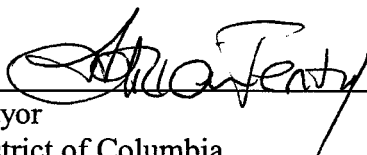
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 26, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-196

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 26, 2007

To order, on an emergency basis, the closing of a portion of a public alley in Square 234, bounded by W Street, N.W., 13th Street, N.W., Florida Avenue, N.W., and 14th Street, N.W., in Ward 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of a Public Alley in Square 234, S.O. 07-7717, Emergency Act of 2007".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council of the District of Columbia finds that the portion of the public alley in Square 234, as shown on the Surveyor's plat filed under S.O. 07-7717, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat; provided, that a minimum of 8% of residential rental units be made permanently affordable for families earning no more than 60% of the area median income. The approval of the Council is contingent upon the satisfaction of all conditions set forth in the official file, S.O. 07-7717.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Mayor, the Office of the Surveyor, the Office of Planning, the Building and Land Regulation Administration of the Department of Consumer and Regulatory Affairs, and the Office of the Recorder of Deeds.

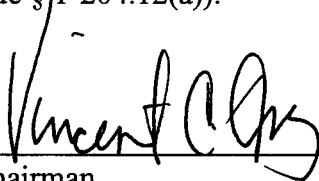
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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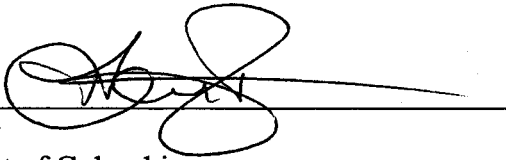
Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman

Council of the District of Columbia



Mayor

District of Columbia
APPROVED

November 26, 2007

ENROLLED ORIGINAL

A N A C T

D.C. ACT 17-197

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 26, 2007

To order the closing of a portion of a public alley in Square 234, bounded by 13th Street, N.W., W Street, N.W., 14th Street, N.W., and Florida Avenue, N.W., in Ward 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 234, S.O. 07-7717, Act of 2007".

Sec. 2 Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of the public alley in Square 234, as shown on the Surveyor's plat filed under S.O. 07-7717, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat; provided, that a minimum of 8% of residential rental units be made permanently affordable for families earning no more than 60% of the area median income. The approval of the Council of this closing is contingent upon the satisfaction of all conditions set forth in the official file S.O. 07-7717.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

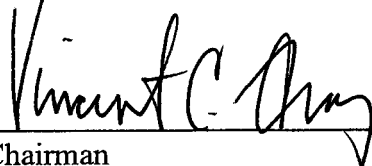
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

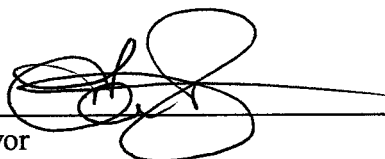
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

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provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



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Mayor
District of Columbia

APPROVED

November 26, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-198

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 26, 2007

To order the closing of a portion of a public alley in Square N-515, bounded by New York Avenue, N.W., 4th Street, N.W., and L Street, N.W., in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square N-515, S.O. 07-6534, Act of 2007".

Sec. 2 Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of the public alley in Square N-515, as shown on the Surveyor's plat filed under S.O. 07-6534, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions set forth in the official file S.O. 07-6534.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

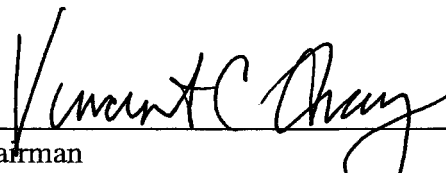
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

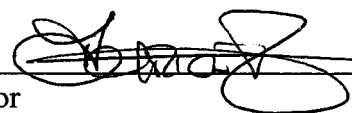
Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

ENROLLED ORIGINAL

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 26, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-199

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 26, 2007

To approve, on an emergency basis, certain contracts for congregate-care services for children committed to the care and custody of the Child and Family Services Agency, and to authorize payment for the services received under those contracts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "CFSA Congregate Care Contracts Option Year Three Approval and Payment Authorization Emergency Act of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the following contracts for congregate care services for children committed to the care and custody of the Child and Family Services Agency are approved and payment, in the amounts listed below, is authorized for services received under those contracts:

CFSA-04-C-0363	Fihankra Place, Inc.	\$2,132,134.00
CFSA-04-C-0340	Terrific, Inc.	\$1,128,682.20
CFSA-04-C-0343	Ionia Whipper Home, Inc.	\$1,603,080.00
CFSA-04-C-0358	Catholic Charities	\$1,374,790.50
CFSA-04-C-0362	Family and Child Services	\$1,047,579.00
CFSA-04-C-0366	St. Ann's Infant and Maternity Home	\$1,425,872.50
CFSA-04-C-0345	Associates for Renewal in Education	\$2,345,490.00
CFSA-04-C-0347	Trinity Youth Services	\$2,693,174.40
CFSA-04-C-0346	Echelon Community Services	\$1,389,920.00
CFSA-04-C-0344	Umbrella (traditional group home)	\$1,513,655.00

Sec. 3. Fiscal impact statement.

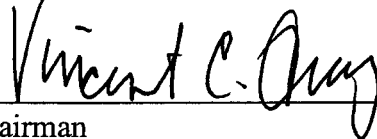
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal

ENROLLED ORIGINAL

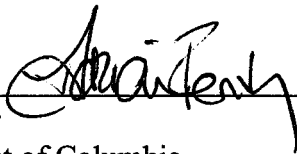
impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 21, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-200

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 21, 2007

To approve, on an emergency basis, certain contracts for community-based, child-welfare services with the Child and Family Services Agency, and to authorize payment for the services received under those contracts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "CFSA Collaborative Contracts Approval and Payment Authorization Emergency Act of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the following contracts for community-based, child-welfare services with the Child and Family Services Agency are approved and payment, in the amounts listed below, is authorized for services received under those contracts:

CFSA-08-C-0001	Columbia Heights/Shaw	\$2,161,327.00
CFSA-08-C-0002	Georgia Avenue/Rock Creek East	\$1,168,829.00
CFSA-08-C-0003	Far Southeast	\$2,626,799.00
CFSA-08-C-0004	North Capitol Collaborative	\$1,162,192.00
CFSA-08-C-0005	Edgewood/Brookland	\$2,129,999.00
CFSA-08-C-0006	East of the River	\$1,749,213.00
CFSA-08-C-0007	South Washington/West of the River	\$1,147,184.00
CFSA-08-C-0008	Healthy Families/Thriving Communities Collaborative Council	\$1,088,109.00

Sec. 3. Fiscal impact statement.

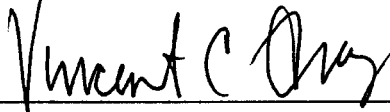
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,

ENROLLED ORIGINAL

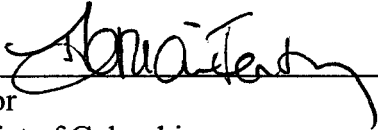
approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor

District of Columbia

APPROVED

November 24, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-201

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 26, 2007Codification
District of
Columbia
Official Code

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the Workforce Housing Production Program Approval Act of 2006 to grant authority to the Mayor to transfer moneys to the workforce housing pilot program from the Housing Production Trust Fund and the Industrial Revenue Bond special account; and to amend the Housing Production Trust Fund Act of 1988 to authorize the expenditure of \$4 million in accordance with the Workforce Housing Production Program Approval Act of 2006.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workforce Housing Production Program Congressional Review Emergency Amendment Act of 2007".

Sec. 2. The Workforce Housing Production Program Approval Act of 2006, effective March 14, 2007 (D.C. Law 16-278; D.C. Official Code § 6-1061.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 6-1061.02) is amended as follows:

(1) Subsection (g) is amended to read as follows:

"(g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this title."

(2) Subsection (h) is amended by striking the sentence "Within one year after the effective date of this title, the Mayor shall submit a report to the Council on the status of the workforce housing pilot program." and inserting the sentence "Within 60 days after the close of each fiscal year, as such fiscal year is established by the land trust, the land trust shall submit a report to the Mayor and the Council on the status of the workforce housing pilot program and the use of funds from the Housing Production Trust Fund, established pursuant to section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802)." in its place.

(b) A new section 104 is added to read as follows:

"Sec. 104. Authority to transfer moneys to the workforce housing pilot program from

Note,
§ 6-1061.02

ENROLLED ORIGINAL

the Housing Production Trust Fund and the Industrial Revenue Bond special account.

"(a) The Mayor may transfer \$4 million from the Housing Production Trust Fund to such accounts or sub-accounts as may be established pursuant to the trust agreement to be entered into pursuant to section 102(e).

"(b)(1) The Mayor may transfer \$1 million from the Industrial Revenue Bond special account established under D.C. Official Code § 47-131(c)(4) to such accounts or sub-accounts as may be established pursuant to the trust agreement to be entered into pursuant to section 102(e).

"(2) The funds transferred pursuant to this subsection may be used to assist households whose annual incomes do not exceed 120% of the area median income; provided, that the annual incomes of the households assisted through an allocation or proceeds from the Housing Production Trust Fund, established pursuant to section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), shall not exceed 80% of the area median income.

"(3) For the purposes of this subsection, the term "area median income" shall have the same meaning as provided in section 2(1) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(1)).".

Sec. 3. Section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), is amended by adding a new subsection (b-3) to read as follows:

Note,
§ 42-2802

"(b-3)(1) Notwithstanding any other provision of this act or any other law to the contrary, \$4 million of the funds deposited into the Fund may be made available by the Mayor to the Workforce Housing Land Trust. The uses of the funds shall be governed exclusively by the provisions of the Land Trust Plan and the requirements of the Workforce Housing Production Program Approval Act, effective March 14, 2007 (D.C. Law 16-278; D.C. Official Code § 6-1061.01 *et seq.*)("Production Act").

"(2) For the purposes of this subsection, the term:

"(A) "Land Trust Plan" means the District of Columbia Workforce Housing Land Trust Design and Implementation Plan, as amended and approved pursuant to the Production Act."

"(B) "Workforce Housing Land Trust" means the tax-exempt organization selected by the Deputy Mayor for Planning and Economic Development to administer the pilot program pursuant to section 102 of the Production Act."

Sec. 4. Applicability.

This act shall apply as of October 25, 2007.

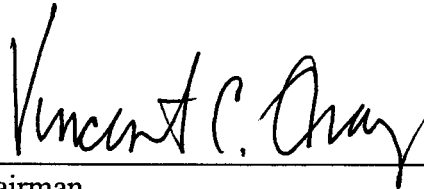
ENROLLED ORIGINAL

Sec. 5. Fiscal impact statement.

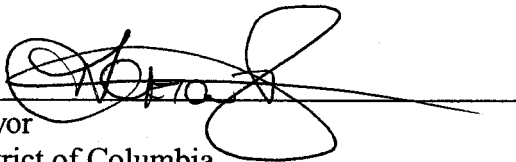
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This Act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED

November 26, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-202IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
NOVEMBER 26, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, due to Congressional review, section 25-101 of the District of Columbia Official Code to suspend, for an additional 6 months, the enforcement of the annual gross food sales requirements for restaurants and hotels that sell alcoholic beverages under a C/R, D/R, C/H, or D/H license.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Restaurant and Hotel Audit Sufficiency Congressional Review Emergency Act of 2007".

Sec. 2. Section 25-101(43)(C) of the District of Columbia Official Code is amended by striking the phrase "2 years" and inserting the phrase "2 years and 6 months" in its place.

Note,
§ 25-101

Sec. 3. Applicability.

This act shall apply as of October 24, 2007.

Sec. 4. Fiscal impact statement.

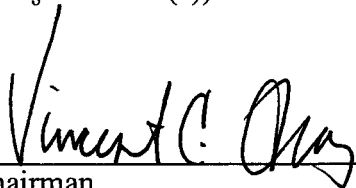
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

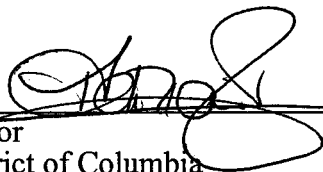
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED

November 26, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-203

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 27, 2007

To approve, on an emergency basis, contract CFSA-07-C-0169 with Children's National Medical Center to provide health-care services to children committed to the care and custody of the District of Columbia, and to authorize payment for services received under that contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CFSA-07-C-0169, Children's National Medical Center Approval and Payment Authorization Emergency Act of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), contract CFSA-07-C-0169 with Children's National Medical Center to provide health-care services to children committed to the care and custody of the District of Columbia is approved and payment in the amount of \$1,873,200 is authorized for services received under this contract.

Sec. 3. Fiscal impact statement.

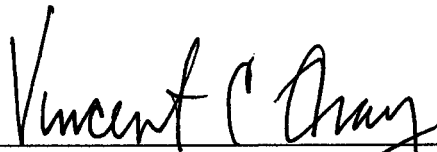
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

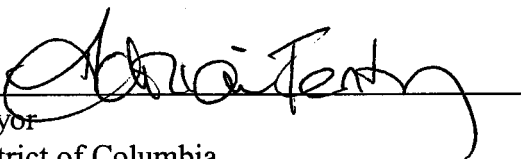
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 27, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-204

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 27, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To authorize, on an emergency basis, the Mayor to continue the taking by eminent domain of property at the Skyland Shopping Center so that the District is reauthorized to continue condemnation proceedings over the property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Skyland Eminent Domain Reauthorization Emergency Act of 2007".

Sec. 2. (a) The Council affirms the findings made in section 2 of the National Capital Revitalization Corporation Eminent Domain Clarification and Skyland Eminent Domain Approval Amendment Act of 2004, effective April 5, 2005 (D.C. Law 15-286; 52 DCR 859) ("Skyland Eminent Domain Act").

(b) The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire properties in the Skyland Eminent Domain Area for the purpose of redeveloping the Skyland Shopping Center in order to achieve the public purposes set forth in section 2(a)(15) of the Skyland Eminent Domain Act.

(c) For the purposes of this section, the term "Skyland Eminent Domain Area" means: Square 5632, Lot 1; Square 5632, Lot 3; Square 5632, Lot 4; Square 5632, Lot 5; Square 5632, Lot 802; Square 5633, Lot 800; Square 5633, Lot 801; Square 5641, Lot 0010; Square 5641, Lot 0011; Square 5641, Lot 0012; Square 5641, Lot 0013; Square 5641, Lot 0819; Square 5641N, Lot 0012; Square 5641N, Lot 0013; Square 5641N, Lot 0014; Square 5641N, Lot 0015; Square 5641N, Lot 0016; Square 5641N, Lot 0017; Square 5641N, Lot 0018; Square 5641N, Lot 0019; Square 5641N, Lot 0020; Square 5641N, Lot 0021; Square 5641N, Lot 0022; Square 5641N, Lot 0023; Square 5641N, Lot 0024; Square 5641N, Lot 0025; Square 5641N, Lot 0026; Square 5641N, Lot 0027; Square 5641N, Lot 0028; Square 5641N, Lot 0029; Square 5641N, Lot 0030; Square 5641N, Lot 0031; Square 5641N, Lot 0033; Parcel 02130052; Parcel 02130060; Parcel 02130061; Parcel 02140062; Parcel 02140088; Parcel 02140104; Parcel 02140182; Parcel 02140187; Parcel 02140189; Parcel 02140190; Parcel 02140196; and any other parcel or property located within the geographic area bounded by a line beginning at a point at the

ENROLLED ORIGINAL

intersection of the northerly line of Good Hope Road, S.E., with the northerly line of Alabama Avenue, S.E., and running northwesterly along said line of Good Hope Road, S.E., extended, to intersect a point on the east line of Naylor Road, S.E.; thence northwesterly along said line of Naylor Road to a point at the northwesterly corner of Lot 801 in Square 5633; thence northeasterly along the northerly line of said lot and square to a point at the westernmost corner of Parcel 213/52; thence continuing northeasterly along the northerly line of said Parcel 213/52 to a point at the southwesterly corner of Parcel 213/60; thence northwesterly along the arc of a curve, deflecting to the right, along the westerly line of said Parcel 213/60 to a point at the northernmost corner of said Parcel 213/60; thence southeasterly along the easterly lines of said Parcels 213/60 and 213/52 to a point at the northwesterly corner of Lot 33 in square north of Square 5641; thence easterly along the north property lines of said Lot 33 and Lots 16 through 31, both inclusive, in square north of Square 5641 to a point at the northeast corner of said Lot 31 in said square; thence south along the east line of said Lot 31 in said square to a point at the southeast corner thereof; thence westerly along the south lines of said Lots 31, 30, 29, 28, 27, 26, 25, 24, 23 and 22 in said square to a point at the southwest corner of said Lot 22 to intersect a line drawn northwesterly from the northeast corner of Lot 12 in square north of Square 5641; thence southeasterly along said line drawn and the east line of said Lot 12 in said square to a point at the southeast corner thereof to a point that intersects a line drawn northwesterly from the northeast corner of Lot 13 in Square 5641; thence southeasterly along said line drawn and the east line of said Lot 13 in said square to a point at the southeast corner thereof; thence southwesterly along the south property lines of Lots 13 and 12 in Square 5641 to a point that intersects a line drawn northwesterly from the northeast corner of Lot 819 in Square 5641; thence southeasterly along said line drawn and the east line of said Lot 819 in said square to a point at the southeast corner of said Lot 819 in said square, on the north line of Alabama Avenue, S.E.; and thence southwesterly along the arc of a circle deflecting to the right along said line of Alabama Avenue, to the point of beginning.

Sec. 3. Fiscal impact statement.

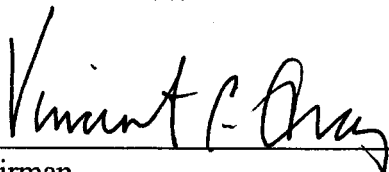
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 27, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-205IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
NOVEMBER 27, 2007*Codification
District of
Columbia
Official Code*

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2008 Winter
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Publisher

To prohibit equity stripping through unscrupulous real property transactions and protect financially distressed homeowners; and to amend section 28-3904 of the District of Columbia Code to make a conforming amendment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Home Equity Protection Act of 2007".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Foreclosure rescue service" means any good or service related to or promising assistance in connection with:

(A) Avoiding or delaying actual or anticipated foreclosure proceedings concerning residential property; or

(B) Curing or otherwise addressing a default or failure to timely pay with respect to a residential mortgage loan obligation.

(2) "Foreclosure rescue transaction" means a transaction involving the transfer of title to real property, or an interest in the property, by a homeowner during or incident to a mortgage default, foreclosure, or tax sale proceeding, either by transfer of any interest from the homeowner to another party or by creation of a mortgage, trust, or other lien or encumbrance during the foreclosure process; provided, that the transaction includes the subsequent conveyance, the promise of a subsequent conveyance, or a right to a subsequent conveyance of an interest back to the homeowner from the acquirer or a person acting in participation with the acquirer, including an interest in a contract for deed, purchase agreement, land installment sale, contract for sale, option to purchase, sale/leaseback, trust, or other contractual arrangement.

Sec. 3. Prohibited foreclosure transactions and practices.

(a) It shall be unlawful, for compensation or gain or for potential or contingent compensation or gain, whether at the time of the transaction or in the future, to engage in, arrange, offer, promote, promise, solicit participation in, or carry out a foreclosure rescue transaction in the District or concerning residential property in the District. Nothing in this subsection shall be interpreted to prohibit foreclosure rescue transactions that are not carried out for compensation or gain or for potential or contingent compensation or gain, including transactions engaged in between or among family members or arranged by a bona fide nonprofit community organization or nonprofit housing organization.

(b) It shall be unlawful to advertise, offer, or promote the availability of foreclosure rescue transactions or services related to foreclosure rescue transactions.

ENROLLED ORIGINAL

(c) It shall be unlawful to advertise, offer, or promote foreclosure rescue services without disclosing, clearly and conspicuously, a precise description of the goods or services offered and how they will assist persons in avoiding or delaying foreclosure or curing or otherwise addressing a default or failure to timely pay a residential mortgage loan obligation.

(d) Nothing in this section shall be interpreted to prohibit the advertising of, offering of, promoting of, or engaging in foreclosure rescue transactions or foreclosure rescue services that are not carried out for compensation or gain or for potential or contingent compensation or gain, including transactions engaged in between or among family members or arranged by a bona fide nonprofit community organization or nonprofit housing organization.

Sec. 4. Fiduciary duties.

Any person who advertises, offers, promotes, or provides foreclosure rescue services to a homeowner owes a fiduciary duty to the homeowner and shall discharge that duty in accordance with all applicable laws.

Sec. 5. Private actions.

(a) In addition to any action by the Attorney General authorized under this act and any other action otherwise authorized by law, a homeowner may bring an action for damages incurred, or equitable relief, as the result of a practice prohibited by this act.

(b) A homeowner who brings an action under this act and who is awarded damages or equitable relief may also be awarded reasonable attorney's fees and costs.

(c) A violation of this act shall be a violation of Chapter 39 of Title 28 of the District of Columbia Official Code and all remedies of the chapter shall be available for such action. A private cause of action under the chapter is in the public interest.

(d) The remedies provided in this section are cumulative and do not restrict any remedy that is otherwise available.

Sec. 6. Criminal penalties.

(a) Any person who knowingly violates any provision of this act, or any rule promulgated pursuant to this act, shall be fined an amount not to exceed \$10,000, imprisoned for not more than one year, or both. All prosecutions of this subsection shall be instituted by the Attorney General for the District of Columbia or any of his or her assistants.

(b) A person who knowingly commits a 2nd or subsequent violation of any provision of this act, or any rule promulgated pursuant to this act, shall be fined an amount not to exceed \$50,000, imprisoned for not more than 5 years, or both.

Sec. 7. Section 28-3904 of the District of Columbia Official Code is amended as follows:

Amend
§ 28-3904

(a) Paragraph (ee) is amended by striking the phrase “; or” at the end of the paragraph and inserting a semicolon in its place.

(b) Paragraph (ff) is amended by striking the period at the end of the paragraph and inserting the phrase “; or” in its place.

(c) A new paragraph (gg) is added to read as follows:

“(gg) violate any provision of the Home Equity Protection Act of 2007, passed on 2nd reading on November 6, 2007 (Enrolled version of Bill 17-101).

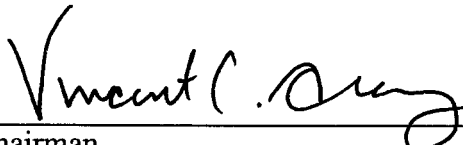
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Sec. 8. Fiscal impact statement.

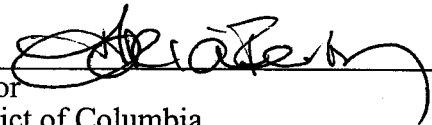
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 27, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-206

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
NOVEMBER 27, 2007

*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.

West Group
Publisher

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property of the Heurich House Foundation and to provide equitable real property tax relief.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Heurich House Foundation Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2007".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation 47-1076 to read as follows:

"47-1076. Heurich House Foundation; Lot 79, Square 115."

(b) A new section 47-1076 is added to read as follows:

"§ 47-1076. Heurich House Foundation; Lot 79, Square 115.

"(a) Subject to the provisions of subsection (b) of this section, the real property (and the historic furniture, furnishings, and other personal property located thereon), described as Lot 79, Square 115, and owned by the Heurich House Foundation, a District nonprofit corporation, shall be exempt from taxation by the District of Columbia so long as:

"(1) The real property is owned by the Heurich House Foundation and is used for carrying on its purposes and activities as a historic house museum and promoting the house as an interpretive and educational vehicle for a variety of aspects of life in Washington, D.C. during the late 19th and 20th centuries, subject to paragraph (2)(B) of this subsection, and is not used for any commercial purposes except as provided in subsection (b) of this section; and

"(2) The improvements on the real property are:

"(A) Maintained by the Heurich House Foundation as a historical building to be preserved for its architectural and historic significance; and

"(B) Accessible to the general public for payment of a reasonable fee at such reasonable hours and under such conditions as may, from time to time, be prescribed by the Heurich House Foundation.

New
§ 47-1076

ENROLLED ORIGINAL

"(b) Section 47-1005 shall apply with respect to the property made exempt from taxation by this section; provided, that a portion of the property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the historic property.

"(c) The Heurich House Foundation shall make the reports required by § 47-1007 and shall have appeal rights provided by § 47-1009."

Sec. 3. Equitable real property tax relief.

(a) Real property taxes, interest, penalties, fees, and other related charges assessed against the real property described as Lot 79, Square 115, for the period of October 1, 2006 through the effective date of this act, shall be forgiven, and any payments made for such period shall be refunded.

(b) The recordation tax paid by the Heurich House Foundation in 2003 shall be forgiven and refunded.

(c) The personal property located on the real property described as Lot 79, Square 115, shall be exempt from taxation as of July 31, 2007.

Sec. 4. Inclusion in the budget and financial plan.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Note,
§ 47-1076

Sec. 5. Fiscal impact statement.

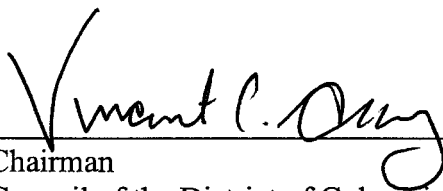
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

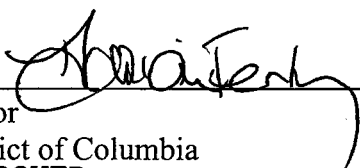
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)) and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 27, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-207IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
NOVEMBER 27, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend Chapter 8 of Title 47 of the District of Columbia Official Code to establish the Southeast Water and Sewer Improvement Benefit District, to authorize a special assessment on properties located within the improvement area that are specially benefited by the improvements and upgrades to the water and sewer and storm drainage systems, to authorize the District government to collect the special assessments in the same manner as real property taxes, and to authorize revenues collected to be used to pay the principal of, interest on, and other repayment amounts related to bonds, notes, obligations, expenditures, or other outlays which are used to pay costs of the Southeast Water and Sewer Improvement Project.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Southeast Water and Sewer Improvement Special Assessment Authorization Act of 2007".

Sec. 2. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new Subchapter VI to read as follows:
"Subchapter VI. Southeast Water and Sewer Improvement Benefit District.

"Sec.

"47-891. Definitions.

"47-892. Establishment of special assessment district.

"47-893. Levy of special assessment; protest; termination of levy.

"47-894. Application of assessment."

(b) A new subchapter VI is added to read as follows:

"Subchapter VI. Southeast Water and Sewer Improvement Benefit District.

"§ 47-891. Definitions.

"For the purposes of this subchapter, the term:

"(1) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia established by § 1-204.24a.

New
§§ 47-891-
47-894

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“(2) “Gross building area” means, with respect to a real property, the product of the land area of the real property multiplied by the maximum floor area ratio allowable under its zoning category as of January 1, 2007 without including transfer development rights or bonus development rights; provided, that in the case of real property formerly owned by the United States of America after January 1, 2007, the term “gross building area” shall mean the foregoing as of the date the real property was first legally zoned under District law.

“(3) “Land area” means, with respect to a real property, the ground square footage of the real property .

“(4) “Southeast Water and Sewer Improvement Benefit District” means the special assessment district established by § 47-892.

“(5) (A) “Southeast Water and Sewer Improvement Project” means the improvements and upgrades to the storm drainage and water and sewer systems scheduled to be performed starting on or about May 1, 2007, and scheduled to be completed on or about February 15, 2008, on the following streets: Potomac Avenue, S.E., from South Capitol Street to First Street, S.E.; First Street, S.E., from Potomac Avenue, S.E., to I Street, S.E.; N Street, S.E., from South Capitol Street to First Street, S.E.; I Street, S.E., from South Capitol Street to First Street, S.E.; and South Capitol Street from N Street to O Street, S.E.

“(B) The scheduled starting and completion dates set forth in subparagraph (A) of this paragraph are set forth for descriptive purposes only and shall not limit the costs that may be included in the special assessment total collection amount determined under § 47-893(c) based solely on the fact that the costs were incurred before the scheduled starting date or after the scheduled completion date.

“§ 47-892. Establishment of special assessment district.

“There is established as a special assessment district the Southeast Water and Sewer Improvement Benefit District, which shall be comprised of those real properties served by or otherwise specially benefitting from the Southeast Water and Sewer Improvement Project, more particularly described as all real properties included in the following squares or portions of squares: 0695, 0695W, 0695NW, 0696, 0697N, 0699, 0699N, 0700, 0701, 0707, the portions of 0708 and 0708E east of South Capitol Street (as South Capitol Street existed on June 1, 2007), 0738, 0740, 0743N, 0744S, and 0744SS, and any future subdivisions of these squares and lots.

“§ 47-893. Levy of special assessment; protest; termination of levy.

“(a) Beginning in tax year 2008, there is levied a special assessment upon each real property located within the Southeast Water and Sewer Improvement Benefit District, except the following:

“(1) Real properties owned by the District of Columbia, except an independent instrumentality or authority of the District of Columbia, the United States, or the Washington Metropolitan Area Transit Authority; provided, that if an interest in or use of the land of such real property is subject to taxation under § 47-1005.01 because of a ground lease and the improvement is privately owned, the interest in or use of the land and the improvement shall be subject to the special assessment imposed by this subchapter based on the land area of the

ENROLLED ORIGINAL

interest and the actual gross building area of the improvement (if not subject to District zoning) or the gross building area of the improvement (if subject to District zoning); provided further, that if the real property becomes owned by an entity other than the District of Columbia, the United States, or the Washington Metropolitan Area Transit Authority, the provisions of this paragraph shall not exempt the real property from the special assessment imposed by this subchapter;

“(2) Real properties on which, on June 1, 2007, occupied residential were located; provided, that after June 1, 2007, if the real property is redeveloped for nonresidential uses, or if the real property becomes part of a development project that may include a condominium regime, that consists of 5 or more dwelling units, the provisions of this paragraph shall not exempt the real property or subdivisions thereof from the special assessment imposed by this subchapter;

“(3) Real properties on which, on June 1, 2007, an active house of worship with a tax-exempt status was located; provided, that after June 1, 2007, if the real property is later used for a purpose other than as a house of worship, the provisions of this paragraph shall not exempt the real property from the special assessment imposed by this subchapter; or

“(4) Real properties that received a certificate of occupancy for a building of over 10,000 square feet between January 1, 2003, and June 1, 2007, or which had a utility plan related to a building permit approved by the District of Columbia Water and Sewer Authority between January 1, 2006, and October 31, 2006.

“(b) The special assessment applicable to a real property shall be equal to the sum of:

“(1) The storm drainage assessment factor of 0.118 multiplied by the land area of the real property or interest therein; and

“(2) The water and sewer assessment factor of 0.0346 multiplied by the gross building area of the real property .

“(c)(1) Within 180 days after the effective date of this subchapter, for tax year 2008, the Chief Financial Officer shall determine each real property that is subject to the special assessment under this subchapter and give notice of the special assessment to the owner, as shown on the real property tax records of the District. The notice shall state the amount of the proposed special assessment and the procedure for appeal set forth in subsection (e) of this section. The Chief Financial Officer shall not recalculate either factor because an additional real property has become subject to the special assessment after the first determination under this paragraph. No further notice shall be required for future tax years.

“(2) If a real property becomes subject to the special assessment imposed by this subchapter after the effective date of this subchapter, the Chief Financial Officer shall give notice of the special assessment to the owner, as shown on the real property tax records of the District, of such real property within 90 days after the Chief Financial Officer determines the real property has become subject to the special assessment. The notice shall state the amount of the proposed special assessment and the procedure for appeal set forth in subsection (e) of this section. The real property shall become liable for the special assessment as of the beginning of

ENROLLED ORIGINAL

the next succeeding tax year from the date on which such real property became subject to the special assessment. No further notice shall be required for future tax years.

“(3) The owner of a real property may elect at least once annually and upon the sale of a real property, under procedures established by the Chief Financial Officer, to pay in a lump sum payment equal to the present value, calculated as of the next succeeding June 30th at an annual discount rate of 4.5%, of the total amount of all future annual special assessments to which the Chief Financial Officer determines the real property is subject under this subchapter. If the owner makes such a lump sum payment within 30 days from the date of the special assessment bill from the Chief Financial Officer, the real property shall not be subject to future annual special assessments under this subchapter.

“(d) If the Chief Financial Officer learns that a real property subject to the special assessment has been omitted from the special assessment for any previous tax year, the Chief Financial Officer shall provide notice under subsection (e) of this section to the owner for the succeeding, current, and prior tax years, and shall collect the special assessment amount in arrears, including penalty and interest from the date the special assessment should have been paid; provided, that no real property that has escaped the special assessment shall be liable under this section for a period of more than 3 prior tax years. No further notice shall be required for future tax years.

“(e) The owner of a real property subject to special assessment under this subchapter, when first provided notice of a special assessment under this subchapter, may petition for administrative review, and appeal from a final determination made upon administrative review, of the amount of a special assessment, or the imposition of the special assessment, on the real property or interest therein in the same manner and to the same extent as set forth in § 47-825.01(f-1) as if the owner were a new property owner; provided, that for purposes of the new owner appeal, the date of transfer shall be deemed to be the date of the notice and the tax year shall be deemed to be the last tax year included in the notice; provided further, that notwithstanding the foregoing, the notice under subsection (c)(1) of this section shall be mailed on or before March 1, 2008 and the owner may petition for an administrative review on or before April 1, 2008 and appeal therefrom to the same extent and under the same conditions as a real property owner may appeal his tax year 2009 real property tax assessment.

“(f) Beginning in tax year 2008, special assessments under this subchapter shall be levied annually and shall be due on June 30 of the tax year. The owner shall have 30 days to pay the special assessment bill before the bill is due.

“(g)(1) Except as provided in paragraph (2) of this subsection, an unpaid special assessment shall be subject to the same penalty and interest provisions as a delinquent real property tax under this chapter. A lien for an unpaid special assessment, including penalty and interest, shall attach to the real property in the same manner as, and with a priority immediately junior to, a lien for delinquent real property tax under Chapter 13A. The unpaid special assessment shall be collected in the same manner and under the same conditions and subject to the same penalty as for unpaid real property taxes.

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“(2) If an interest in, or use of the land of, a real property is subject to the special assessment because it is subject to taxation under § 47-1005.01, an unpaid special assessment on such interest or use shall be subject to the same penalty and interest provisions as a delinquent tax imposed under § 47-1005.01, and the unpaid special assessment shall be collected in the same manner and under the same conditions and subject to the same penalty as for an unpaid tax imposed under § 47-1005.01.

“(h) The levy of special assessments under this subchapter shall terminate on the date on which the special assessment total collection amount has been received by the District, as certified by the Chief Financial Officer.

“(i) A special assessment imposed under this subchapter shall not be required to be certified for the purposes of Chapter 13A of this title.

“(j) Each special assessment shall be made part of the public record.

“(k) The total collection amount from the Southeast Water and Sewer Improvement Benefit District shall not exceed the amount required to pay the debt service on a total amount of \$12.45 million of borrowing authority, which shall represent the special assessment total collection amount of the properties subject to the assessment under this subchapter.

“§ 47-894. Application of assessment.

“The Chief Financial Officer shall establish the Southeast Water and Sewer Improvement Benefit District Account within the General Fund of the District of Columbia for the deposit and application of special assessment revenues collected under this subchapter. Subject to lien priority, funds in the Southeast Water and Sewer Improvement Benefit District Account shall be used to pay the principal of, interest on, or other repayment amounts related to the general obligation bonds, notes, other obligations, expenditures, or outlays used to finance or pay for the Southwest Water and Sewer Improvement Project or any other then outstanding District of Columbia general obligation bonds, notes, or other obligations. After the termination of the special assessment under § 47-893(h), any unexpended funds in the Southeast Water and Sewer Improvement Benefit District Account shall be transferred to the Economic Development Special Account or its successor or, if the Economic Development Special Account or a successor to the Economic Development Special Account no longer exists, to the General Fund of the District of Columbia.”.

Sec. 3. Applicability.

Section 2 shall apply as of October 1, 2007.

Note,
§ 47-891

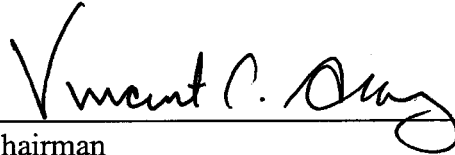
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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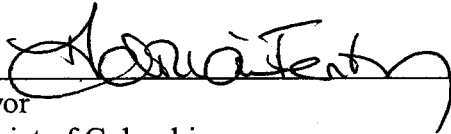
Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman

Council of the District of Columbia



Mayor

District of Columbia

APPROVED

November 27, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-208

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 27, 2007Codification
District of
Columbia
Official Code

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend the Mortgage Lender and Broker Act of 1996 to require mortgage lenders to provide clear and complete information to District consumers for all non-conventional mortgage loans; and to amend section 28-3904 of the District of Columbia Official Code to make the failure of mortgage lenders to provide disclosures to consumers an unfair trade practice.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mortgage Disclosure Amendment Act of 2007".

Sec. 2. The Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1101 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 26-1101) is amended by adding a new paragraph (12A) to read as follows:

Note,
§ 26-1101

"(12A) "Non-conventional mortgage loan" means any mortgage loan that is not a fixed-rate mortgage loan with an amortization period of 30 years or less."

(b) Section 14 (D.C. Official Code § 26-1113) is amended as follows:

Note,
§ 26-1113

(1) A new subsection (a-1) is added to read as follows:

"(a-1)(1) Within 3 business days of an application for a non-conventional mortgage loan, the mortgage lender shall provide to the borrower the written disclosures required under this section.

"(2) No non-conventional mortgage loan shall be consummated unless the borrower has signed the disclosures required under this section and returned the disclosures to the mortgage lender.

"(3) The written disclosures required under this section shall be printed on a single page, front and back, and include the following:

"Mortgage Disclosure Form

"(A) Borrower(s)

"(B) Property Address

"(C) Lender

"(D) Lender Address

"(E) Lender Phone Number

"(F) Your loan is for \$....., for a term of years. The final maturity date is

"Your beginning interest rate is ____%. This rate is good for ____ months/years [circle

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one]. This rate and your payment can increase, starting on [date], and may continue to increase, depending on the terms of your mortgage.

“(G) Beginning on, you will be charged at the fully-indexed rate, which is your margin (.....%) plus an index value, which for you is Estimating based on the current rate of the index, which is, your monthly payment at the fully-indexed rate would be \$..... While the index rate does vary, your mortgage provides that the fully-indexed rate will not rise above ..%. At that rate, your monthly payment would be \$.....

“(H) YOU HAVE INDICATED THAT YOUR GROSS MONTHLY INCOME IS \$.....

“(I) WARNING: Industry standards suggest that a homeowner should spend no more than 28% of his or her gross monthly income on mortgage costs (including taxes and insurance).

“(J) \$...../month = Your beginning interest rate + taxes and insurance.

“(K) \$...../month = Your estimated fully-indexed rate (i.e., what you pay after the beginning rate ends) + taxes and insurance.

“(L) \$...../month = Your maximum possible interest rate + taxes and insurance.

“(M) \$...../month = 28% of your current gross monthly income (the recommended limit).

“(N) Your gross monthly income may rise or fall over time, but if either of the first 3 amounts exceeds the fourth, you may want to reconsider the suitability of this loan for your needs. You may cancel your mortgage application within 5 business days of receiving this form.

“(O) Your mortgage carries a balloon payment. This means that on, you will have to fully pay the remaining balance on the loan.

“(P) Your loan has a prepayment penalty. This means that if you pay off your mortgage in the first years, you will have to pay a penalty of \$..... If you refinance your mortgage in that period, you will be required to pay this amount.

“(Q) See definitions of underlined terms on reverse side. DO NOT SIGN THIS IF YOU DO NOT UNDERSTAND IT!

“.....
“Lender’s Authorized Representative and date

“.....
“Borrower(s) and date”.

“(4) The disclosures required under this section shall be in the following form:

MORTGAGE DISCLOSURE FORM

Borrower(s): _____ Lender: _____
 Property: _____ Address: _____

 Phone: (____) _____

Your loan is for \$ _____, for a term of _____ years. The final maturity date is _____.

Your beginning interest rate is _____%. This rate is good for _____ months/years [*circle one*]. This rate and your payment can increase, starting on [date], and may continue to increase, depending on the terms of your mortgage.

Beginning on [date], you will be charged at the fully-indexed rate, which is your margin (____%) plus an index value, which for you is [index name]. Estimating based on the current rate of the index, which is _____%, your monthly payment at the fully-indexed rate would be \$ _____. While the index rate does vary, your mortgage provides that the fully-indexed rate will not rise above _____%. At that rate, your monthly payment would be \$ _____.

YOU HAVE INDICATED THAT YOUR GROSS MONTHLY INCOME IS \$ _____.

WARNING: Industry standards suggest that a homeowner should spend **no more than 28%** of his or her gross monthly income on mortgage costs (including taxes and insurance).

\$ _____/month = Your beginning interest rate + property taxes and insurance.

\$ _____/month = Your estimated fully-indexed rate (i.e. what you pay after the beginning rate ends) + property taxes and insurance.

\$ _____/month = Your maximum possible interest rate + property taxes and insurance.

\$ _____/month = 28% of your current gross monthly income (the recommended limit).

Your gross monthly income may rise or fall over time, but if any of the first three amounts exceeds the fourth, you may want to reconsider the suitability of this loan for your needs. **You**

- ☐ Your mortgage carries a balloon payment. This means that on [date] you will have to fully pay the remaining balance on the loan.
- ☐ Your loan has a prepayment penalty. This means that if you pay off your mortgage in the first _____ years, you will have to pay a penalty of \$ _____. **If you refinance your mortgage in that period, you will be required to pay this amount.**

See definitions of underlined terms on the reverse side.

DO NOT SIGN THIS IF YOU DO NOT UNDERSTAND IT!

Lender _____ Date _____

Borrower _____ Date _____

011927

Borrower _____ Date _____

ENROLLED ORIGINAL

“(5) The Commissioner may prescribe, by rule, a different form for the written disclosures. The proposed rules shall be transmitted to the Council for a 60-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules by resolution within the 60-day review period, the proposed rules shall be deemed approved.

“(6) Certain definitions and explanations arising from the written disclosures required under this section shall be printed on a single page, front and back, and include the following:

“Beginning interest rate: means the interest rate the borrower pays at the beginning of the loan. In many types of loans, this rate is good for only a few years and may increase significantly.

“Fully indexed rate: is an indicator of what will happen to the interest rate on the loan and the monthly payments. It is today’s estimate of how high the interest rate on an adjustable rate mortgage will go. It is calculated by taking a defined index rate and adding a certain number of percentage points, called the margin. Since the index rate can go up or down, the borrower cannot be sure what the future adjustable interest rate will be. Borrowers must make sure they can afford the fully indexed interest rate and not just the initial interest rate.

“Maximum possible interest rate: means the highest your interest rate can go. Most loans with adjustable rates have a defined maximum rate or lifetime cap. Borrowers need to think about how likely it may be that the interest rate can go this high.

“Gross monthly income: means the borrower’s gross, pre-tax income per month. Borrowers should make sure the monthly household income amount shown on the form is correct.

“Monthly mortgage payment including taxes and insurance: means the amount the borrower must pay every month for interest, repayment of loan principal, home insurance premiums, and property taxes owed to the District of Columbia. Over time, in addition to any possible increases in the loan’s interest rate, the insurance premiums and property taxes are likely to increase.

“Prepayment penalty: means any additional fee imposed by the mortgage lender on the borrower if the borrower pays off the loan early. Borrowers must make sure they know whether their loan has a prepayment penalty fee and how it works.

“Balloon payment: means that a large repayment of loan principal is due at the end of the loan. This almost always means that the borrower has to get a new loan to make the balloon payment.

“Payment option loan: means a mortgage loan that allows the borrower to pay less than the interest being charged on the loan. The unpaid interest is added to the loan, so the loan amount grows larger. Borrowers must make sure they know whether their loan is a payment option loan and how it works.

“Points: means the fee, expressed as a percentage of the loan, a borrower pays to the mortgage lender at closing, usually in exchange for a lower interest rate.

“Default: means a borrower has failed to make the payments due on the mortgage loan. Once a borrower is in default on the loan, the mortgage lender can seek to foreclose on the property.

“Foreclosure: means the legal process in which the mortgage lender can seize the borrower’s property if the borrower continually fails to make the payments due on the mortgage loan.

“Property tax: means the taxes owed to the District of Columbia as a result of the

ENROLLED ORIGINAL

borrower owning the property.

"Insurance: means property insurance that covers private homes and residences. It is required by mortgage loans in order to protect the mortgage lender if the home is destroyed.

"Monthly condominium/co-operative/homeowner association fees: means the monthly fees that must be paid by the borrower if the borrower's property is a condominium, co-operative, or subject to a homeowner association. These fees usually are collected on a monthly basis. Failure to pay these fees can result in a lawsuit against the borrower by the condominium, co-operative, or homeowner association. As with property taxes and homeowners' insurance, these fees are likely to increase over time.

"(7) The Commissioner may prescribe, by rule, additional terms, definitions, and explanations. The proposed rules shall be transmitted to the Council for a 60-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules by resolution within the 60-day review period, the proposed rules shall be deemed approved.

"(8) The information pursuant to this section shall be given to the borrower in a prominent form, separate from other disclosures, in either electronic or physical form and:

"(A) In a 12-point font;

"(B) In plain English or in the language of the mortgage lender's presentation to the borrower; and

"(C) If given to the borrower on a physical piece of paper, shall be printed on a red piece of paper measuring 8.5 inches by 11 inches.

"(9) Within 5 business days of receiving from the mortgage lender the information pursuant to this section, the borrower may cancel the application for a mortgage loan with no loss of any security deposit or any other funds applied to guarantee an interest rate, not including reasonable fees incurred to process the application. The borrower shall be notified of this right to cancel at the time the mortgage lender provides the information pursuant to this section."

Sec. 3. Section 28-3904 of the District of Columbia Official Code is amended as follows:

Note,
§ 28-3904

(a) Paragraph (cc) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(b) Paragraph (dd) is amended by striking the period and inserting a semicolon in its place.

(c) Paragraph (ee) is amended by striking the period and inserting the phrase "; or" in its place.

(d) A new paragraph (ff) is added to read as follows:

"(ff) fail to make a disclosure as required by § 26-1113(a-1)."

Sec. 4. Applicability.

Section 2 shall apply 30 days after the effective date of this act.

Note,
§§ 26-1101,
26-1113

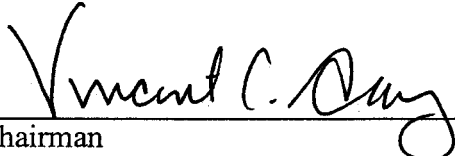
Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

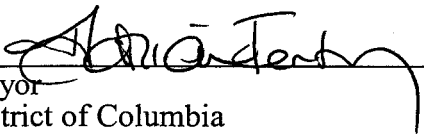
ENROLLED ORIGINAL

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 27, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-209

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 27, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To authorize the issuance of District of Columbia general obligation tax revenue anticipation notes to finance general governmental expenses for the fiscal year ending September 30, 2008.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2008 Tax Revenue Anticipation Notes Act of 2007".

Sec. 2. Definitions.

For the purposes of this act, the term:

Note,
§ 1-204.72

(1) "Additional Notes" means District general obligation revenue anticipation notes described in section 9 that may be issued pursuant to section 472 of the Home Rule Act and that will mature on or before September 30, 2008, on a parity with the notes.

(2) "Authorized delegate" means the City Administrator, the Chief Financial Officer, the Treasurer, or any officer or employee of the executive office of the Mayor to whom the Mayor has delegated any of the Mayor's functions under this act pursuant to section 422(6) of the Home Rule Act.

(3) "Available funds" means District funds required to be deposited with the Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

(4) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel or co-bond counsel from time to time by the Mayor.

(5) "Chief Financial Officer" means the Chief Financial Officer established pursuant to section 424(a)(1) of the Home Rule Act.

(6) "City Administrator" means the City Administrator established pursuant to section 422(7) of the Home Rule Act.

(7) "Council" means the Council of the District of Columbia.

(8) "Escrow Agent" means any bank, trust company, or national banking association with requisite trust powers designated to serve in this capacity by the Mayor.

(9) "Escrow Agreement" means the escrow agreement between the District and the Escrow Agent authorized in section 7.

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(10) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

(11) "Mayor" means the Mayor of the District of Columbia.

(12) "Notes" means one or more series of District general obligation revenue anticipation notes authorized to be issued pursuant to this act.

(13) "Receipts" means all funds received by the District from any source, including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds that are pledged to debt or other obligations according to section 9 or that are restricted by law to uses other than payment of principal of, and interest on, the notes.

(14) "Secretary" means the Secretary of the District of Columbia.

(15) "Treasurer" means the Treasurer of the District of Columbia established pursuant to section 424(a)(2) of the Home Rule Act.

Sec. 3. Findings.

The Council finds that:

(1) Under section 472 of the Home Rule Act, the Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472 of the Home Rule Act provides further that the total amount of general obligation revenue anticipation notes issued and outstanding at any time during a fiscal year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as certified by the Mayor as of a date not more than 15 days before each original issuance of the notes.

(2) Under section 482 of the Home Rule Act, the full faith and credit of the District is pledged for the payment of the principal of, and interest on, any general obligation revenue anticipation note.

(3) Under section 483 of the Home Rule Act, the Council is required to provide in the annual budget sufficient funds to pay the principal of, and interest on, all general obligation revenue anticipation notes becoming due and payable during that fiscal year, and the Mayor is required to ensure that the principal of, and interest on, all general obligation revenue anticipation notes is paid when due, including paying the principal and interest from funds not otherwise legally committed.

(4) The Mayor has advised the Council that, based upon the Mayor's projections of anticipated receipts and disbursements during the fiscal year ending September 30, 2008, it may be necessary for the District to borrow a sum not to exceed \$500 million, an amount that does not exceed 20% of the total anticipated revenue of the District for such fiscal year, and to accomplish the borrowing by issuing general obligation revenue anticipation notes in one or more series.

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(5) The issuance of general obligation revenue anticipation notes in a sum not to exceed \$500 million is in the public interest.

Sec. 4. Note authorization.

(a) The District is authorized to incur indebtedness by issuing the notes pursuant to sections 472 and 482 of the Home Rule Act, in one or more series, in a sum not to exceed \$500 million, to finance its general governmental expenses, in anticipation of the collection or receipt of revenues for the fiscal year ending September 30, 2008.

(b) The Mayor is authorized to pay from the proceeds of the notes the costs and expenses of issuing and delivering the notes, including, but not limited to, underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement, marketing and selling the notes, and printing costs and expenses.

Sec. 5. Note details.

(a) The notes shall be known as "District of Columbia Fiscal Year 2008 General Obligation Tax Revenue Anticipation Notes" and shall be due and payable, as to both principal and interest, on or before September 30, 2008.

(b) The Mayor is authorized to take any action necessary or appropriate in accordance with this act in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the notes, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the notes, including any redemptions applicable thereto and a determination that the notes may be issued in book-entry form;

(2) Provisions for the transfer and exchange of the notes;

(3) The principal amount of the notes to be issued;

(4) The rate or rates of interest or the method of determining the rate or rates of interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days elapsed); provided further, that if the notes are not paid at maturity, the notes may provide for an interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the basis of a 365-day year (actual days elapsed);

(5) The date or dates of issuance, sale, and delivery of the notes;

(6) The place or places of payment of principal of, and interest on, the notes;

(7) The designation of a registrar, if appropriate, for any series of the notes, and the execution and delivery of any necessary agreements relating to the designation;

(8) The designation of paying agent(s) or escrow agent(s) for any series of the notes, and the execution and delivery of any necessary agreements relating to such designations; and

(9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed notes.

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(c) The notes shall be executed in the name of the District and on its behalf by the manual signature of the Mayor or an authorized delegate. The official seal of the District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar is designated, the registrar shall authenticate each note by manual signature and maintain the books of registration for the payment of the principal of, and interest on, the notes and perform other ministerial responsibilities as specifically provided in its designation as registrar.

(d) The notes may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the notes.

(a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par plus accrued interest from the date of the notes to the date of delivery thereof. The purchase contract or bid form shall contain the terms that the Mayor considers necessary or appropriate to carry out the purposes of this act. The Mayor's execution and delivery of the purchase contract or bid form shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the notes. The Mayor shall deliver the notes, on behalf of the District, to the purchasers upon receiving the purchase price provided in the purchase contract or bid form.

(b) The Mayor or an authorized delegate may execute, in connection with each sale of the notes, an offering document on behalf of the District, and may authorize the document's distribution in relation to the notes.

(c) The Mayor or an authorized delegate shall take actions and execute and deliver agreements, documents, and instruments (including any amendment of or supplement to any such agreement, document, or instrument) in connection with any series of notes as required by or incidental to:

- (1) The issuance of the notes;
- (2) The establishment or preservation of the exclusion from gross income for federal income tax purposes of interest on the notes, the treatment of interest on the notes as not constituting an item of tax preference for purposes of the federal alternative minimum tax ("non-AMT"), if the notes are originally issued as non-AMT notes, and the exemption from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);
- (3) The performance of any covenant contained in this act, in any purchase contract for the notes, or in any escrow or other agreement for the security thereof;
- (4) The provision for securing the repayment of the notes by a letter or line of credit or other form of credit enhancement, and the repayment of advances under any such credit enhancement, including the evidencing of such a repayment obligation with a negotiable instrument with such terms as the Mayor shall determine; or

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(5) The execution, delivery, and performance of the Escrow Agreement, a purchase contract or a bid form for the notes, a paying agent agreement, or an agreement relating to credit enhancement, if any, including any amendments of any of these agreements, documents, or instruments.

(d) The notes shall not be issued until the Mayor receives an approving opinion of Bond Counsel as to the validity of the notes and the establishment or preservation of the exclusion from gross income for federal income tax purposes of the interest on the notes and, if the notes are issued as non-AMT notes, the treatment of such interest as not an item of tax preference for purposes of the federal alternative minimum tax, and the exemption from District income taxation of the interest on the notes (except estate, inheritance, and gift taxes).

(e) The Mayor shall execute a note issuance certificate evidencing the determinations and other actions taken by the Mayor for each issue or series of the notes issued and shall designate in the note issuance certificate the date of the notes, the series designation, the aggregate principal amount to be issued, the authorized denominations of the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a separate certificate, not more than 15 days before each original issuance of a series, the total anticipated revenue of the District for the fiscal year ending September 30, 2008, and that the total amount of all general obligation revenue anticipation notes issued and outstanding at any time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery of the notes covered by the certificates.

Sec. 7. Payment and security.

(a) The full faith and credit of the District is pledged for the payment of the principal of, and interest on, the notes when due.

(b) The funds for the payment of the notes as described in this act shall be irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall be used for the payment of the principal of, and interest on, the notes when due, and shall not be used for other purposes so long as the notes are outstanding and unpaid.

(c) The notes shall be payable from available funds of the District, including, but not limited to, any moneys advanced, loaned, or otherwise provided to the District by the United States Treasury, and shall evidence continuing obligations of the District until paid in accordance with their terms.

(d) The Mayor may, without regard to any act or resolution of the Council now existing or adopted after the effective date of this act, designate an Escrow Agent under the Escrow Agreement. The Mayor may execute and deliver the Escrow Agreement, on behalf of the District and in the Mayor's official capacity, containing the terms that the Mayor considers necessary or appropriate to carry out the purposes of this act. A special account entitled

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“Special Escrow for Payment of District of Columbia Fiscal Year 2008 General Obligation Tax Revenue Anticipation Notes” is created and shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in the Escrow Agreement. Funds on deposit, including investment income, under the Escrow Agreement shall not be used for any purposes except for payment of the notes or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement permitted under subsections (k) or (l) of this section, and may be invested only as provided in the Escrow Agreement.

(e) Upon the sale and delivery of the notes, the Mayor shall deposit with the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued interest and premium, if any, received upon the sale of the notes.

(f)(1) The Mayor shall set aside and deposit with the Escrow Agent funds in accordance with the Escrow Agreement at the time and in the amount as provided in the Escrow Agreement.

(2) If Additional Notes are issued pursuant to section 9(b), and if on the date set forth in the Escrow Agreement, the aggregate amount of principal and interest payable at maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit, including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act), for the period August 15, 2008, until September 30, 2008, then beginning on the date set forth in the Escrow Agreement, the Mayor shall promptly, upon receipt by the District, set aside and deposit with the Escrow Agent the receipts received by the District after the date set forth in the Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on the outstanding notes, including any Additional Notes as described above, is less than 90% of actual receipts of District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act).

(3) The District covenants that it shall levy, maintain, or enact taxes due and payable during August 1, 2008, through September 30, 2008, to provide for payment in full of the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, or taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act.

(4) The District covenants that so long as any of the notes are outstanding, it shall not grant, create, or permit the existence of any lien, pledge, or security interest with respect to its taxes due and payable during the period August 1, 2008, through September 30, 2008, or commit or agree to set aside and apply those tax receipts to the payment of any obligation of the District other than the notes. The taxes referred to in this paragraph shall not include special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act, or any

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real property tax liens created or arising in any fiscal year preceding the issuance of the notes.

(g) Before the 16th day of each month, beginning in August 2008, the Mayor shall review the current monthly cash flow projections of the District, and if the Mayor determines that the aggregate amount of principal and interest payable at maturity on the notes then outstanding, less any amounts and investment income on deposit under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Mayor to be received after such date by the District but before the maturity of the notes, the Mayor shall promptly, upon receipt by the District, set aside and deposit with the Escrow Agent the receipts received by the District on and after that date until the aggregate amount, including investment income, on deposit with the Escrow Agent equals or exceeds 100% of the aggregate amount of principal of, and interest on, the notes payable at their maturity.

(h) The Mayor shall, in the full exercise of the authority granted the Mayor under the Home Rule Act and under any other law, take actions as may be necessary or appropriate to ensure that the principal of, and interest on, the notes are paid when due, including, but not limited to, seeking an advance or loan of moneys from the United States Treasury if available under then-current law. This action shall include, without limitation, the deposit of available funds with the Escrow Agent as may be required under section 483 of the Home Rule Act, this act, and the Escrow Agreement. Without limiting any obligations under this act or the Escrow Agreement, the Mayor reserves the right to deposit available funds with the Escrow Agent at his or her discretion.

(i) There are provided and approved for expenditure sums as may be necessary for making payments of the principal of, and interest on, the notes, and the provisions of the District of Columbia Appropriations Act, 2008, if enacted prior to the effective date of this act, relating to short-term borrowings are amended and supplemented accordingly by this section, as contemplated in section 483 of the Home Rule Act.

(j) The notes shall be payable, as to both principal and interest, in lawful money of the United States of America in immediately available or same-day funds at a bank or trust company acting as paying agent, located in the District, and at not more than 2 co-paying agents that may be located outside the District, one of which shall be located in New York, New York. All of the paying agents shall be qualified to act as paying agents under the laws of the United States of America, of the District, or of the state in which they are located, and shall be designated by the Mayor without regard to any other act or resolution of the Council now existing or adopted after the effective date of this act.

(k) In addition to the security available for the holders of the notes, the Mayor is hereby authorized to enter into agreements, including any agreement calling for payments in excess of \$1 million during fiscal year 2008, with a bank or other financial institution to provide a letter of credit, line of credit, or other form of credit enhancement to secure repayment of the notes when due. The obligation of the District to reimburse the bank or financial institution for any advances made under any such credit enhancement shall be a general obligation of the District until repaid and shall accrue interest at the rate of interest established by the Mayor not in

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excess of 15% per year until paid.

(l) The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01), and the Financial Institutions Deposit and Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official Code § 47-351.01 *et seq.*), shall not apply to any contract which the Mayor may from time to time determine to be necessary or appropriate to place, in whole or in part:

- (1) An investment or obligation of the District as represented by the notes;
- (2) An investment or obligation or program of investment; or
- (3) A contract or contracts based on the interest rate, currency, cash flow, or other basis as the Mayor may desire, including, without limitation, interest rate swap agreements; currency swap agreements; insurance agreements; forward payment conversion agreements; futures; contracts providing for payments based on levels of, or changes in, interest rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure, including, without limitation, interest rate floors or caps, options, puts, and calls. The contracts or other arrangements also may be entered into by the District in connection with, or incidental to, entering into or maintaining any agreement that secures the notes. The contracts or other arrangements shall contain whatever payment, security, terms, and conditions as the Mayor may consider appropriate and shall be entered into with whatever party or parties the Mayor may select, after giving due consideration, where applicable, to the creditworthiness of the counterparty or counterparties, including any rating by a nationally recognized rating agency or any other criteria as may be appropriate. In connection with, or incidental to, the issuance or holding of the notes, or entering into any contract or other arrangement referred to in this section, the District may enter into credit enhancement or liquidity agreements, with payment, interest rate, termination date, currency, security, default, remedy, and any other terms and conditions as the Mayor determines. Proceeds of the notes and any money set aside for payment of the notes or of any contract or other arrangement entered into pursuant to this section may be used to service any contract or other arrangement entered into pursuant to this section.

Sec. 8. Defeasance.

(a) The notes shall no longer be considered outstanding and unpaid for the purpose of this act and the Escrow Agreement, and the requirements of this act and the Escrow Agreement shall be deemed discharged with respect to the notes, if the Mayor:

- (1) Deposits with an Escrow Agent, herein referred to as the "defeasance escrow agent," in a separate defeasance escrow account, established and maintained by the Escrow Agent solely at the expense of the District and held in trust for the note owners, sufficient moneys or direct obligations of the United States, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay when due the principal of, and interest payable at maturity on, all the notes; and

- (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction

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to apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

(b) The defeasance escrow agent shall not invest the defeasance escrow account in any investment callable at the option of its issuer if the call could result in less than sufficient moneys being available for the purposes required by this section.

(c) The moneys and direct obligations referred to in subsection (a)(1) of this section may include moneys or direct obligations of the United States of America held under the Escrow Agreement and transferred, at the written direction of the Mayor, to the defeasance escrow account.

(d) The defeasance escrow account specified in subsection (a) of this section may be established and maintained without regard to any limitations placed on these accounts by any act or resolution of the Council now existing or adopted after this act becomes effective, except for this act.

Sec. 9. Additional debt and other obligations.

(a) The District reserves the right at any time to: borrow money or enter into other obligations to the full extent permitted by law; secure the borrowings or obligations by the pledge of its full faith and credit; secure the borrowings or obligations by any other security and pledges of funds as may be authorized by law; and issue bonds, notes, including Additional Notes, or other instruments to evidence the borrowings or obligations. The reserved right with regard to the notes and Additional Notes issued pursuant to sections 471, 472, 475, and 490 of the Home Rule Act shall be subject to this act. No borrowings or other obligations, including Additional Notes, shall be entered into that would require an immediate set-aside and deposit under section 7(g) applied as of the date of the issuance.

(b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule Act that shall mature on or before September 30, 2008, and the District shall covenant to set aside and deposit under the Escrow Agreement, receipts, and other available funds for payment of the principal of, and the interest on, the Additional Notes issued pursuant to section 472 of the Home Rule Act on a parity basis with the notes.

(2) The receipts and available funds referred to in subsection (a) of this section shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act.

(3) Any covenants relating to any Additional Notes shall have equal standing and be on a parity with the covenants made for payment of the principal of, and the interest on, the notes.

(4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act, the provisions of section 7 shall apply to both the notes and such Additional Notes and increase the amounts required to be set aside and deposited with the Escrow Agent.

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(5) As a condition precedent to the issuance of any Additional Notes, the Mayor or the authorized delegate shall deliver a signed certificate certifying that the District is in full compliance with all covenants and obligations under this act and the Escrow Agreement, that no set-aside and deposit of receipts pursuant to section 7(g) applied as of the date of issuance is required, and that no set-aside and deposit will be required under section 7(g) applied immediately after the issuance.

(c) Any general obligation notes issued by the District pursuant to section 471 of the Home Rule Act shall not be scheduled to be due and payable until after the earlier of the following:

- (1) The stated maturity date of all outstanding notes and Additional Notes; or
- (2) The date that an amount sufficient to pay all principal and interest payable at maturity on the notes and the Additional Notes is on deposit with the Escrow Agent.

(d) Revenue notes of the District, which are payable from specified District revenue that is set aside for the payment of the revenue notes and that is included in the amount of receipts estimated by the Mayor, pursuant to section 7(g), to be received after the proposed date of issue of the revenue notes and before the maturity of the notes, shall not be issued if a set-aside and deposit of receipts pursuant to section 7(g) applied as of the proposed date of the issuance of revenue notes would be required. In determining, for purposes of this subsection, whether a set-aside and deposit would be required, there shall be excluded from receipts estimated by the Mayor to be received after the proposed date of issuance of revenue notes and before the maturity of the notes an amount equal to the estimated revenues set aside for the payment of revenue notes.

Sec. 10. Tax matters.

The Mayor shall not (1) take any action or omit to take any action, or (2) invest, reinvest, or accumulate any moneys in a manner, that will cause the interest on the notes to be includable in gross income for federal income tax purposes or, if the notes were issued as non-AMT notes, to be treated as an item of tax preference for purposes of the federal alternative minimum tax. The Mayor shall also take all actions necessary to be taken so that the interest on the notes will not be includable in gross income for federal income tax purposes or, if the notes were issued as non-AMT notes, be treated as an item of tax preference for purposes of the federal alternative minimum tax.

Sec. 11. Contract.

This act shall constitute a contract between the District and the owners of the notes. To the extent that any acts or resolutions of the Council may be in conflict with this act, this act shall be controlling.

Sec. 12. District officials.

(a) The elected or appointed officials, officers, employees, or agents of the District shall

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not be liable personally for the payment of the notes or be subject to any personal liability by reason of the issuance of the notes.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding the fact that the official ceases to be that official before delivery of the notes.

Sec. 13. Authorized delegation of authority.

To the extent permitted by the District and federal laws, the Mayor may delegate to any authorized delegate the performance of any act authorized to be performed by the Mayor under this act.

Sec. 14. Maintenance of documents.

Copies of the notes and related documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 15. Information reporting.

(a) Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the notes, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

(b) The Mayor shall notify the Council within 30 days of any action taken under section 7(g).

Sec. 16. Fiscal impact statement.

The Office of the Chief Financial Officer estimates that the fiscal impact of issuing the tax revenue anticipation notes is as follows:

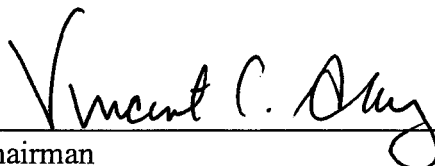
(1) The debt service expense associated with issuing tax revenue anticipation notes to fund Fiscal Year 2008 seasonal cash needs in the amount of approximately \$400 million is incorporated in the District's proposed Fiscal Year 2008 budget. This act has a not-to-exceed amount of \$500 million, as a contingency in the event that the District's actual Fiscal Year 2008 seasonal cash needs exceed the projected cash needs at the time of budget preparation. In that event, the Office of the Chief Financial Officer plans to manage its total debt service expenditures in a manner that keeps such expenditures from exceeding the total debt service budget. As such, there is no additional fiscal impact associated with the passage of this act or the issuance of the notes.

(2) The fiscal impact associated with not passing this act could be an inability of the District to meet numerous operating expenditures during Fiscal Year 2008.

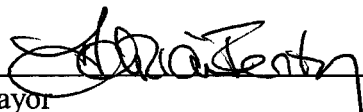
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Sec. 17. Effective date.

This act shall take effect upon enactment as provided in section 472(d)(1) of the Home Rule Act, approved December 24, 1973 (87 Stat. 806; D.C. Official Code §1-204.72(d)(1)).



Chairman
Council of the District of Columbia



Mayor

District of Columbia
APPROVED

November 27, 2007

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AN ACT

D.C. ACT 17-210

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 27, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on a temporary basis, the Health Services Planning Program Re-establishment Act of 1996 to exempt non-hospital-based substance abuse treatment facilities from certificate of need requirements for a period of 2 years.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Services Planning Program Re-establishment Temporary Amendment Act of 2007".

Sec. 2. Section 8(b) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended by adding a new paragraph (14) to read as follows:

Note,
§ 44-407

"(14) A non-hospital-based substance abuse treatment facility shall be exempt from the certificate of need requirements, but shall continue to be subject to the certification requirements under section 5 of the District of Columbia Substance Abuse Treatment and Prevention Act of 1989, effective March 15, 1990 (D.C. Law 8-80; D.C. Official Code § 44-1204). This exemption shall expire 2 years from the effective date of the Health Services Planning Program Re-establishment Act Amendment Act of 2007, as introduced on September 17, 2007 (D.C. Bill 17-358)."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

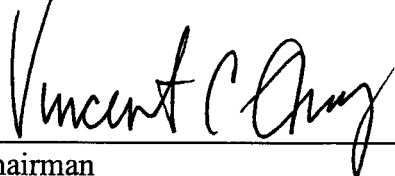
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

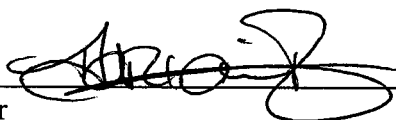
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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED

November 27, 2007